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13281 U.S. PTO

Atty. Dkt. No. 065691-0342

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

31281 U.S. PTO
10/718266
112103

Applicants: Andre JESTIN et al.

Title: CIRCOVIRUS SEQUENCES ASSOCIATED
WITH PIGLET WEIGHT LOSS DISEASE
(PWD)

Prior Appl. No.: 09/514,245

Prior Appl. Filing Date: 02/28/2000

Examiner: Unassigned

Art Unit: 1648

CONTINUING PATENT APPLICATION
TRANSMITTAL LETTER

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☒ Continuation ☐ Division ☐ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

Enclosed are:

- ☒ Application Data Sheet (37 CFR 1.76) (5 pages).
- ☒ Specification, Claim(s), and Abstract (87 pages).
- ☒ Formal drawings (29 sheets, Figures 1, 2a-2g, 3a-3c, 4-7, 8a-8g, and 9-16).
- ☒ Copy of Declaration and Power of Attorney (5 pages).
- ☒ Submission of Sequence Listing under 37 C.F.R. §1.821(e) (2 pages).
- ☒ Copy of Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825, filed on March 25, 2002 in parent application (1 page).

- ☒ Copy of Sequence Listing filed on March 25, 2002 in parent application (94 pages).
- ☒ Information Disclosure Statement (2 pages).
- ☒ Form PTO/SB/08 (2 pages).

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total	12	- 20	= 0	x \$18.00	= \$0.00
Claims:					
Independ	12	- 3	= 9	x \$86.00	= \$774.00
ents:					
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
				SUBTOTAL:	= \$1,544.00
				Late Filing Fee Surcharge:	= \$130.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$1,674.00

- ☒ The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- ☐ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Nov. 20, 2003

By Stephen B. Maebius

FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 672-5569

Facsimile: (202) 672-5399

Stephen B. Maebius

Attorney for Applicants

Registration No. 35,264

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NOTICE OF COPIED CLAIMS

New claims 1-7 are copied verbatim from Application Publication No. 2002/0055189, (enclosed for consideration) published May 9, 2002. Each claim's patentability is now being studied. Support for these claims has yet to be determined.

Along these lines, new claims 8-12 parallel those from Publication No. 2002/0055189. Support for each claim may be found, e.g., in the specification as filed.

It is believed that claims of the '189 publication would correspond to count(s) based on pending claims 1-12 of this application. Applicants are contemplating preparing a request for interference under Rule 604 to be submitted at a later date.

Each claim 1-12 was entered into application no. 09/514,245, filed February 28, 2000, and thus each claim is not barred by 35 U.S.C. § 135(b).

Respectfully submitted,

Date 11/21/03

FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 672-5569

Facsimile: (202) 672-5399

By Sean A. Passino (45,943)
SEAN A. PASSINO
Stephen B. Maebius
Attorney for Applicants
Registration No. 35,264
For